

TERRE HAUTE

A LEVEL ABOVE

APPLICATION FOR REZONING PETITION .CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 14

COMMON ADDRESS OF LOTS TO BE REZONED:

2202 Elm Street, Terre Haute, Indiana 47807 f/k/a 811 N. 22nd Street, Terre Haute, Indiana 47807

Current Zoning: C-2 Neighborhood Commerce

Requested Zoning: R-1 Single Family

Proposed Use: residential housing

Name of Owner: City of Terre Haute Department of Redevelopment

Address of Owner: 17 Harding Avenue, Terre Haute, IN 47807

Phone Number of Owner: 812-232-0018

Attorney Representing Owner: Rhonda D. Oldham

Address of Attorney: 191 Harding Avenue, Terre Haute, IN 47807

Phone Number of Attorney: 812-238-2421

For Information Contact: Rhonda D. Oldham

Council Sponsor: Neil Garrison

***COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

FILED

MAY 07 2013

CITY CLERK

SPECIAL ORDINANCE NO. 14 2013

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-12 1, thereof, District Maps, is hereby amended to read as follows:

Lot Number Fourteen (14) in Partition Plat of Myer's Heirs Subdivision of part of Lot 8 of Linton and Madrigal's Subdivision of part of West Half (1/2) of Section 23, Township 12 North, Range 9 West.

Parcel #84-06-23-109-008.000-002

Commonly known as 2202 Elm Street, f/k/a 811 N. 22nd Street, Terre Haute, IN 47807

be and the same is, hereby established as R-1 Single Family, together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, _____
Neil Garrison , Councilperson

Passed in open Council this ____ day of _____, 2013.

Norm Loudermilk, President

ATTEST:

Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this ____ day of _____, 2013.

Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2013.

Duke A. Bennett, Mayor


ATTEST:

Charles P. Hanley, City Clerk

This instrument prepared by:

Rhonda D. Oldham, OLDHAM LAW P.C., 191 Harding Av., Terre Haute, IN 47807

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.



Rhonda D. Oldham

PETITION TO REZONE REAL PROPERTY #14

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE,
INDIANA:

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY,
INDIANA:

LADIES AND GENTLEMAN:

The undersigned, City of Terre Haute Department of Redevelopment, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lot Number Fourteen (14) in Partition Plat of Myer's Heirs Subdivision of part of Lot 8 of Linton and Madrigal's Subdivision of part of West Half (1/2) of Section 23, Township 12 North, Range 9 West.

Parcel #84-06-23-109-008.000-002

Commonly known as 2202 Elm Street, f/k/a 811 N. 22nd Street, Terre Haute, IN 47807

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as C-2 Neighborhood Commerce.

Your petitioner would respectfully state that the real estate is now C-2 Neighborhood Commerce. Your petitioner intends to use the real estate as residential housing.

Your petitioner would request that the real estate described herein shall be zoned as R-1 Single Family. Your petitioner would allege that the single family residence would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the R-1 Single Family of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this 7th day of May, 2013.

BY:


Cliff Lambert
Executive Director

PETITIONER: City of Terre Haute Department of Redevelopment
17 Harding Ave.
Terre Haute, IN 47807

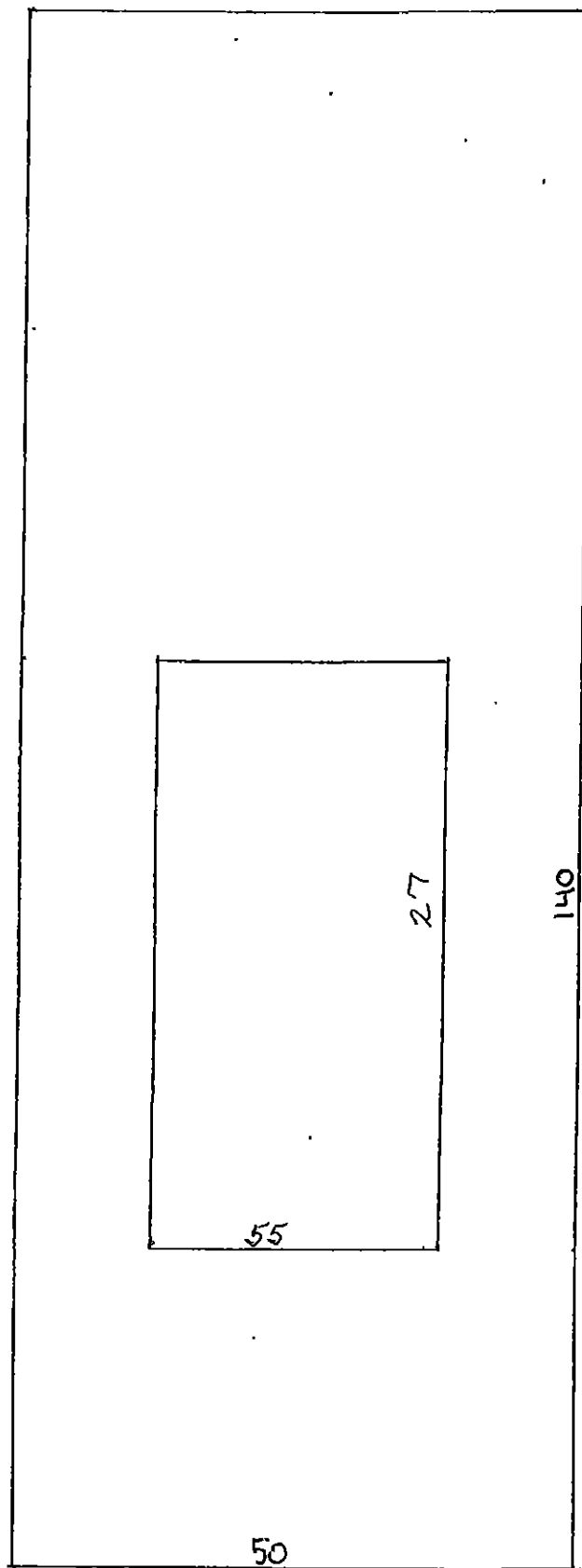
This instrument was prepared by:
Rhonda D. Oldham, OLDHAM LAW P.C., 191 Harding Av., Terre Haute, IN 47807

Alley



N

N. 22nd St.



Elm St.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

2010011795 TAX DEED \$20.00
09/13/2010 09:43:16A 3 PGS
NANCY S. ALLSUP
VIGO County Recorder IN
Recorded as Presented



SEP 13 2010

Timothy M. Seprodi
VIGO COUNTY AUDITOR

EXEMPT FROM DISCLOSURE

TAX DEED

WHEREAS, the City of Terre Haute, Department of Redevelopment, did on the 9th day of September, 2010, produce to the undersigned Timothy M. Seprodi, Auditor of Vigo County, in the State of Indiana, a certificate of sale dated April 7, 2010, signed by the Auditor of Vigo County from which it appears that the City of Terre Haute, Department of Redevelopment, purchased from the Vigo County Commissioners on April 7, 2010, a tax sale certificate for the real property described herein for the sum of Two Hundred Fifty Dollars (\$250.00), to-wit:

Lot Number Fourteen (14) in Partition Plat of Myer's Heirs Subdivision of part of Lot 8 of Linton and Madrigal's Subdivision of part of West Half (1/2) of Section 23, Township 12 North, Range 9 West.

Commonly known as 811 N. 22nd Street, Terre Haute, Indiana, 47807.

Parcel #84-06-23-109-008.000-002

Such real property has been recorded in the office of the Vigo County Auditor as delinquent for the nonpayment of taxes, and proper notice of sale has been given. It appearing that the City of Terre Haute, Department of Redevelopment is the owner of the Tax Sale Certificate, that the time for redeeming such real property has expired, that the property has not been redeemed, that the City of Terre Haute, Department of Redevelopment, has received a Court Order for the issuance of a deed for the real property described in the Tax Sale Certificate, that the records of the Vigo County Auditor's Office state that the real property was legally liable for taxation, and that the real property has been duly assessed and properly charged on the duplicate with the taxes and special assessments for the years 2007, payable 2008, and prior years, to which is added the tax of 2008, payable 2009.

Therefore, this Deed made this 9th day of September 2010, between the Vigo County Commissioners, by Timothy M. Seprodi, Auditor of Vigo County, of the first part, and the City of Terre

Haute, Department of Redevelopment, of the second part,
Witnesseth: The Vigo County Commissioners acquired a lien and
received a Tax Sale Certificate on the following described real
estate on January 13, 2010, which certificate was purchased by
and assigned to City of Terre Haute, Department of
Redevelopment, on April 7, 2010:

Lot Number Fourteen (14) in Partition Plat of Myer's
Heirs Subdivision of part of Lot 8 of Linton and
Madrigal's Subdivision of part of West Half (1/2) of
Section 23, Township 12 North, Range 9 West.

Commonly known as 811 N. 22nd Street, Terre Haute,
Indiana, 47807.

Parcel #84-06-23-109-008.000-002

And said property is hereby conveyed to the City of Terre Haute
Department of Redevelopment to have and to hold such real
property, with the appurtenances belonging thereto, in as full
and ample a manner as the Auditor of said county is empowered by
law and by order of the Vigo Superior Court under Cause No.
84D05-0912-MI-11569, to convey the same. Said real estate being
previously titled in the name of Donna J. Bays.

In testimony whereof, Timothy M. Seprodi, Auditor of Vigo
County, has hereunto set his hand, and affixed his seal this
9th day of September, 2010.

Timothy M. Seprodi RAC
Timothy M. Seprodi
Vigo County Auditor

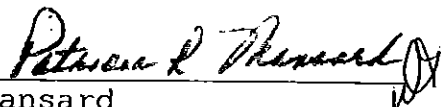
ATTEST:

David R. Crockett CAC
David Crockett
Vigo County Treasurer

STATE OF INDIANA)
)SS:
COUNTY OF VIGO)

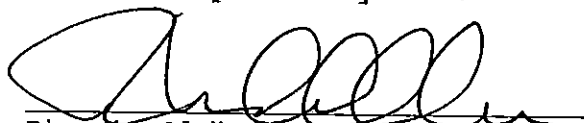
Before me, the undersigned, Patricia Mansard, Clerk of Vigo Superior Court, this day, personally came the above named Timothy M. Seprodi, Auditor of Vigo County, and David Crockett, Treasurer of Vigo County, and acknowledged that said Auditor and Treasurer signed and sealed the foregoing Tax Deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal
this 9th day of September, 2010.



Patricia Mansard
Clerk, Vigo Superior Court

I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security number in this document,
unless required by law.



Rhonda Oldham

Grantee's Address: 17 Harding Avenue, Terre Haute, IN 47807

Mail tax statements to: 17 Harding Avenue, Terre Haute, IN 47807

This instrument prepared by Rhonda Oldham, Attorney At Law, 191
Harding Avenue, Terre Haute, Indiana 47807.

AFFIDAVIT OF:

COMES NOW affiant, City of Terre Haute Department of Redevelopment and affirms under penalty of law that City of Terre Haute Department of Redevelopment is the owner of record of the property located at 2202 Elm St. f/k/a 811 N. 22nd St., Terre Haute, IN 47807 for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

City of Terre Haute
Department of Redevelopment

By: 

Printed: Cliff Lambert
Executive Director

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, Cliff Lambert, Executive Director of City of Terre Haute Department of Redevelopment who acknowledged the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 7th day of May, 2013.

Notary Public: Cynthia A. Chandler My Commission Expires: 10/3/2015

Cynthia A. Chandler My County Of Residence: Vigo
Printed



Receipt

The following was paid to the City of Terre Haute, Controller's Office.

Date: May 7, 2013

Name: Adam Davis

Reason: Resigning Filing \$ 25.00
Resigning Petition \$ 20.00

TERRE HAUTE, IN
PAID

MAY 07 2013

Cash: _____

Check: \$ 45.00 CK# 1249

Credit: _____

Total: \$ 45.00

CONTROLLER

Received By: M. Howell KBE